

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA  
Wheeling**

**ROBERT WILLIAM LOSE, JR.,**

Plaintiff,

v.

**Civil Action No. 5:22-CV-213**  
Judge Bailey

**CPS OFFICER,  
FELICA BACHOR, CPS Worker/DHHR Worker,  
CONGRESS OF THE STATE OF WEST VIRGINIA,  
DEPUTY OF CPS CHARSTEN, WV,  
MARION COUNTY CPS OFFICE, and  
MORGANTOWN WV CPS OFFICE,**

Defendants.

**ORDER ADOPTING REPORT AND RECOMMENDATION**

The above referenced case is before this Court upon the magistrate judge's recommendation that plaintiff's case be dismissed without prejudice pursuant to 28 U.S.C. § 1915(g), and that his pending Motion for Leave to Proceed *in forma pauperis* be denied as moot.

After the entry of Magistrate Judge Mazzone's Report and Recommendation ("R&R"), plaintiff also filed a Motion for Protection of Children and Parents [Doc. 11] and a Motion to Appoint Interpreter [Doc. 12], both on September 16, 2022.

This Court is charged with conducting a *de novo* review of any portion of the magistrate judge's report to which a specific objection is registered, and may accept, reject, or modify, in whole or in part, the recommendations contained in that report. 28 U.S.C.

§ 636(b)(1). However, absent prompt objection by a dissatisfied party, it appears that Congress did not intend for the district court to review the factual and legal conclusions of the magistrate judge. **Thomas v. Arn**, 474 U.S. 140 (1985). Additionally, any party who fails to file timely, written objections to the magistrate judge's report pursuant to 28 U.S.C. § 636(b)(1) waives the right to raise those objections at the appellate court level. **United States v. Schronce**, 727 F.2d 91 (4th Cir. 1984), *cert. denied*, 467 U.S. 1208 (1984). No objections have been filed to the magistrate judge's report and recommendation.

A *de novo* review of the record indicates that the magistrate judge's report accurately summarizes this case and the applicable law. Accordingly, the magistrate judge's report and recommendation [Doc. 8] is **ADOPTED**, and plaintiff's case is hereby **DISMISSED WITHOUT PREJUDICE**. Plaintiff's Motion for Leave to Proceed *in forma pauperis* [Doc. 2] is **DENIED AS MOOT**. Moreover, plaintiff's Motion for Protection of Children and Parents [Doc. 11] and a Motion to Appoint Interpreter [Doc. 12] are **DENIED AS MOOT**.

This Court further **DIRECTS** the Clerk to **STRIKE** this case from the active docket of this Court.

It is so **ORDERED**.

The Clerk is directed to transmit copies of this Order to any counsel of record and to mail a copy to the *pro se* plaintiff.

**DATED:** September 27, 2022.

  
JOHN PRESTON BAILEY  
UNITED STATES DISTRICT JUDGE